

# 10<sup>th</sup> Annual Drug Abuse Symposium



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Co-chair, National Judicial Opioid Task Force  
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## What Is Our Role?

- In 2017, the federal government declared the opioid epidemic a public health emergency.

- Indiana courts have solutions to the crisis gripping our state.

# Did You Know...

- 96% of all cases filed nationwide are filed in state courts.
- The criminal justice system is the primary referral source to get addicted people to treatment.
- People with opioid use disorder are 13 times more likely to be involved in the criminal justice system than those who do not suffer from this disorder.





# THE CRIMINAL JUSTICE SYSTEM...

is the single largest source of referral to substance abuse treatment.\*

Substance Abuse and Mental Health Services Administration

\*Second only to self-referral

- Giving appropriate consequences
- Cutting the supply
- Supporting families and children
- Saving lives



## **The Justice System's Role to Get People to Treatment**

# Not Just a Criminal Justice Issue: Every Part of the Court System is Impacted

- Removal of thousands of children/foster care caseloads
- Guardianship/conservatorships/property cases
- Criminal offenses/felonies/property crimes/traffic offense
- Bankruptcy/financial issues impact a range of cases
- Business and commercial transactions
- Workers compensation
- Insurance issues
- Divorce/custody
- Probation and parole management

A 2017 survey of Chief Justices and State Court Administrators showed that 55% ranked the opioid epidemic's impact on the state court system as severe.



# Substance Abuse

- They can become addicts.
  - It's heartbreaking to see years of education and so much promise fall victim to substance abuse.
- Lawyers and judges are not immune.

It is essential for individuals working in the justice system to have the best information about the causes and affects of addiction and the best practices for treatment.



**BEST  
PRACTICES**

# All judges and justice professionals must be trained on:



- The signs of substance use disorder and an overdose
- Stigma as a barrier to successful treatment
- Trauma-informed decision making
- The importance of the use of appropriate language in promoting recovery
- The need for quality SUD, trauma, and mental health screenings at entry into justice system
- The basics of MAT and the necessity of using only treatments that are evidence-based
- The risks of exposure to fentanyl, carfentanyl, and their analogs
- The increased risk of overdose upon release from incarceration
- The Medical-Legal Addiction Resource Guide

# **Judges and court partners who hear dependency and juvenile cases should receive enhanced training on:**



- MAT for pregnant women and parents involved in the child welfare system
- MAT for adolescents
- Reasonable-efforts findings
- The importance of high quality and frequent visitation, regardless of positive/negative drug screens
- The need for timely screening of children in care for developmental delays and Fetal Alcohol Syndrome

# 5 Guiding Principles *for State Courts*



## **A Comprehensive Approach**

The justice system should lead the way in delivering solutions to the opioid epidemic at every intersection point of the justice system.



## **All Hands on Deck**

Judges should maximize their roles as conveners, bringing together government agency and community stakeholders to address the opioid epidemic.



## **Individualized Treatment and Services**

Courts should ensure that treatment services target the individual's needs.



## **Protecting Children and Supporting Families**

Interventions should incorporate a continuum of treatment strategies, recovery support services and expeditious placement of children in a safe, stable environment.



## **Making a Difference and Measuring Success**

The courts should use data-driven decision-making approaches and establish robust data collection and quality assurance to use data for objectively assessing performance.

# Addiction Resource Center for Courts

## National Judicial Opioid Task Force



### Resource Center for Courts

The Conference of Chief Justices (CCJ) and the Conference of State Court Administrators (COSCA) formed the National Judicial Opioid Task Force (NJOTF) to examine current efforts and find solutions to address the opioid epidemic. The work of the NJOTF is undertaken by three workgroups: Children and Families, Civil and Criminal Justice, and Collaboration and Education.

This Resource Center includes products created by the NJOTF Workgroups and highlights a broad array of additional resources pertinent to the justice system and the opioid crisis from a variety of sources. NJOTF products and other resources will be added continuously as the courts and their partners continue to battle this devastating crisis.

#### Featured Resources



**Task Force Products** Tools created by the National Judicial Opioid Task Force to assist courts in addressing the opioid crisis.



**Understanding Substance Use Disorders and the Opioid Epidemic** Information about addiction, substance use disorder, opioid use disorder, and the history and scope (state and national statistics) of the opioid epidemic.

#### ONGOING EFFORTS

[National Judicial Opioid Task Force](#)

[Opioids and the Courts](#)

#### NOW AVAILABLE

[Resource Center for Courts](#)

[Fentanyl, Carfentanil, and Their Analogs in the Courthouse](#)



# NJOTF Tools and Resources for Courts Addressing the Addictions Crisis



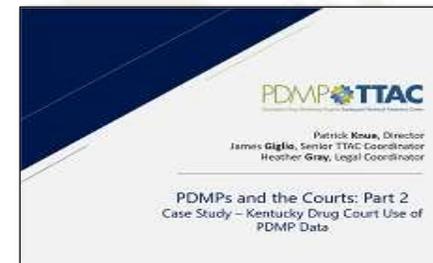
**Confronting a crisis. Promoting solutions.** Describes the creation and work of the National Judicial Opioid Task Force's Five Principles for the Courts.



**Understanding Addiction: A New Perspective**  
Informative video explanation of the physiology of addiction.



**PDMPs and the Courts: Part 1**  
Recording of Part One in a series on PDMPs and how they are used in the justice system.



**PDMPs and the Courts: Part 2**  
Slides for Part Two in the series on PDMPs and how they are used in the justice system.

# NJOTF Tools and Resources for Courts



**Prenatal Substance Exposure: Improving Outcomes for Women and Infants** Information and guidance regarding how courts can help to improve outcomes for substance exposed infants and their families.



**New Federal Funding Source for Court-Appointed Counsel in Child Protection Cases** Discusses how the new policy for Title IV-E funds promotes quality legal representation for parents and children in child welfare dependency cases.



**Treating Pregnant Women with Opioid Use Disorder** Highlights the important evidence-based practices recommended in the Substance Abuse and Mental Health Services Administration's (SAMHSA) latest and most comprehensive guidance regarding pregnant women with opioid use disorders.



**Trauma, Substance Use, and Justice System Involved Children** Raises awareness of the impact the opioid epidemic has on children and families and shares examples of strategies courts have adopted to become more trauma-informed and trauma-responsive to youth and their families.



**The Court's Role in Reshaping the Child Welfare System to Focus on Prevention** Takeaways from a National Judicial Opioid Task Force webinar featuring Jerry Milner and David Kelly from the Children's Bureau of the Administration for Children and Families.



**Parent Partner Programs – Promising Practice to Keep Families Struggling with Substance Use Disorder Together** Discusses how some states are using parent partner programs to improve reunification outcomes and foster increased trust and confidence in the child welfare and juvenile court systems.



**Medication-Assisted Treatment for Adolescents with Opioid Use Disorder** Resource to educate justice system professionals about opioid use disorder, key issues surrounding medication-assisted treatment, the evidence that underlies treatment types, best practices, and legal implications.

# NJOTF Tools and Resources for Courts



**Understanding the Basics of Addiction** Provides the basics of addiction including contributing factors, treatment, and innovative court programs being used to combat the opioid crisis.

**Judicial Leadership in Creating and Leading a Multidisciplinary Team to Address Substance Use Disorders** Discusses how judges can bring otherwise disconnected stakeholders together to form partnerships, through multidisciplinary teams (MDTs), that work to achieve successful outcomes.

**Treatment of Opioid Use Disorder** Discusses key issues surrounding medication assisted treatment (MAT), the evidence that underlies treatment types for opioid use disorder, best practices, and legal implications.

**Involuntary Commitment and Guardianship Laws for Persons with a Substance Use Disorder** List of states that have enacted involuntary commitment and guardianship laws for those suffering from alcoholism and/or substance use disorders.



**Fentanyl, Carfentanil, and their Analogs in the Courthouse** Information on Fentanyl, carfentanil, and their analogs; and precautionary measures implemented by courts.

**Naloxone Use in the Courthouse – A Judicial Bench Card** Describes the signs of overdose, what to do if one occurs, how naloxone can be used to reverse the toxic effects of an overdose, and suggestions for a naloxone policy.

**The Fundamentals of Screening and Assessment in the Justice System** Describes the purpose of substance use disorder screening and assessment, available tools, and examples of its successful use in courts.

**Promising Strategies in Providing Opioid Use Disorder Treatment to Rural, Frontier, and other Underserved Communities** Information on barriers to treatment for Opioid Use Disorder in rural areas and what some states are doing to overcome those barriers.

# NJOTF Tools and Resources for Courts



**The Court's Role in Combating the Opioid Crisis: Using the Sequential Intercept Model (SIM) as a Place to Start** Using the SIM as a foundational framework toward the goal of improved outcomes for people with opioid use disorders.

**Tribal-State Court Forums: Addressing the Opioid Crisis** Collaboration between state and tribal courts regarding the opioid crisis.

**Sample Court Transfer Agreement - State and Tribal Courts** Designed and recommended for use in jurisdictions where state court judges – especially those who preside over adult drug court programs – operate in proximity to the location of a Tribal Healing to Wellness Court.

**Tribal Cultural Competency Information for Judges** Provides basic information to state judges and court employees who interact with members of American Indian/Alaska Native (AI/AN) communities in their courts.



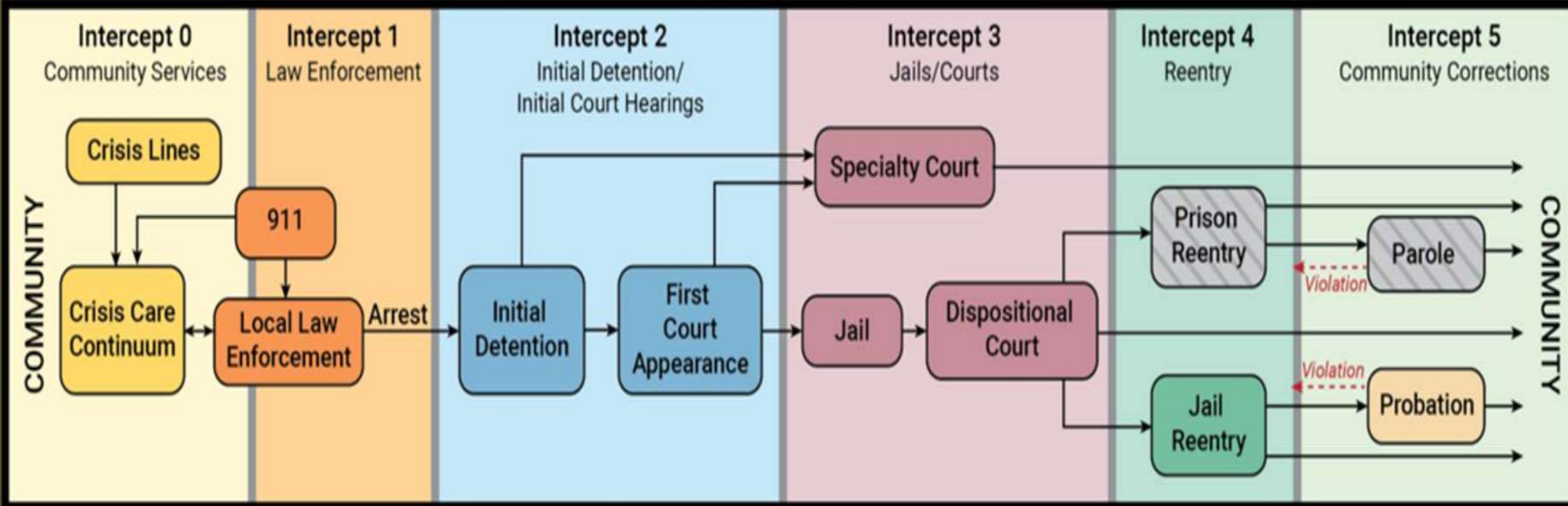
**Creating a Local or Regional Judicial Opioid Task Force** Provides an outline for starting a regional or local judicial opioid task force.

**SUD Dictionary for State Courts** Resource for judges and court staff involved with substance use disorder (SUD) issues. Includes technical terms, acronyms, and references used by medical and treatment professionals.

**Words Matter – Judicial Language and Substance Use Disorders** Research-based recommendations of specific language and phrases judges can use to effectively communicate with individuals with substance use disorder.

**Sample Court Transfer Agreement - State and Federal Courts** Document designed and recommended for use in jurisdictions where state court judges – especially those who preside over adult drug court programs – operate in proximity to the location of a federal district court.

# SEQUENTIAL INTERCEPT MAPPING SYSTEM (SIMS)

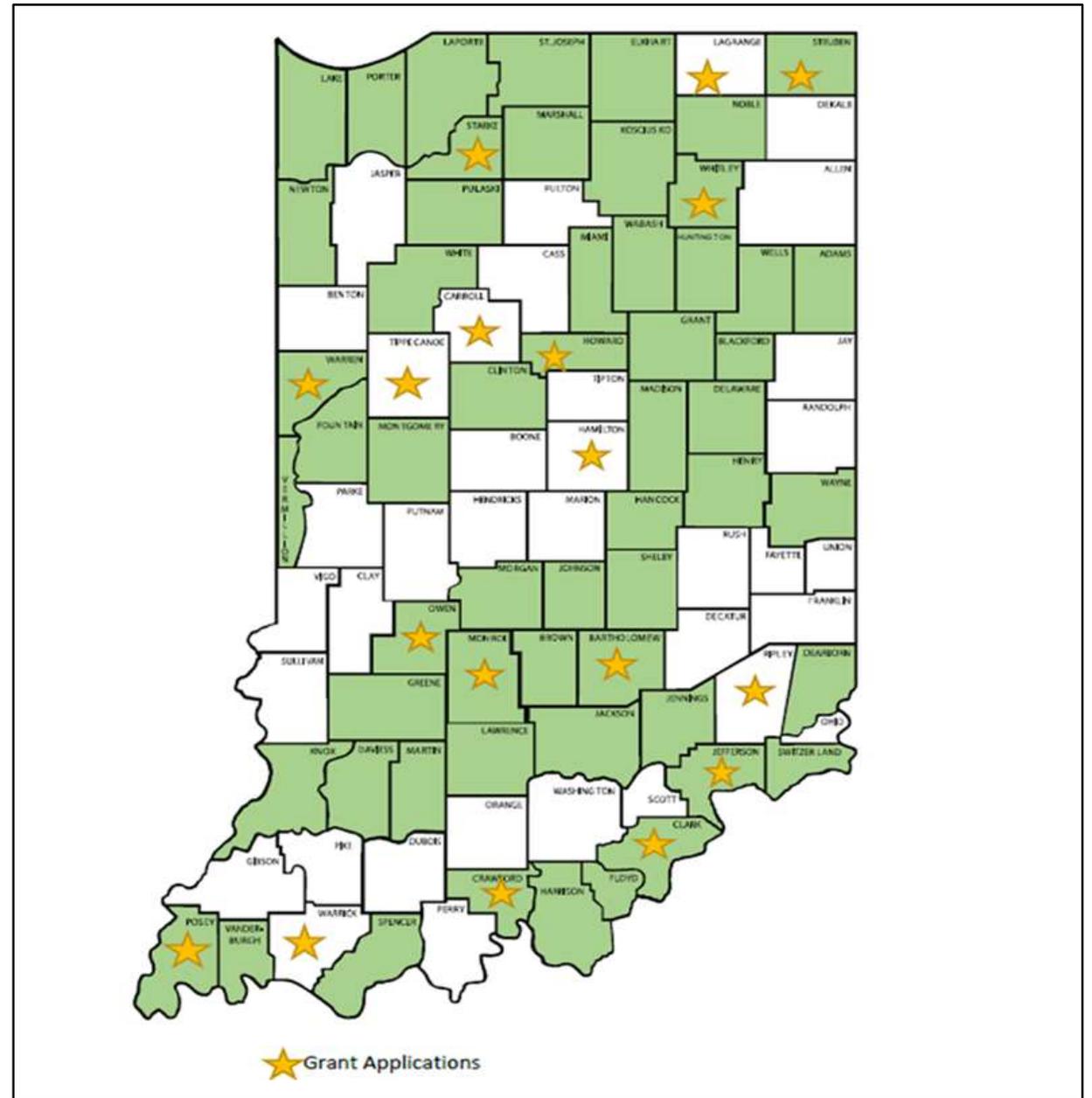


Identify Resources - Identify Gaps - Develop Solutions

# Justice Partners Addictions Response Training and Funding

\$120,000 in grant funds available to each county.

Apply by September 30.



# Indiana Judiciary's Action Plan

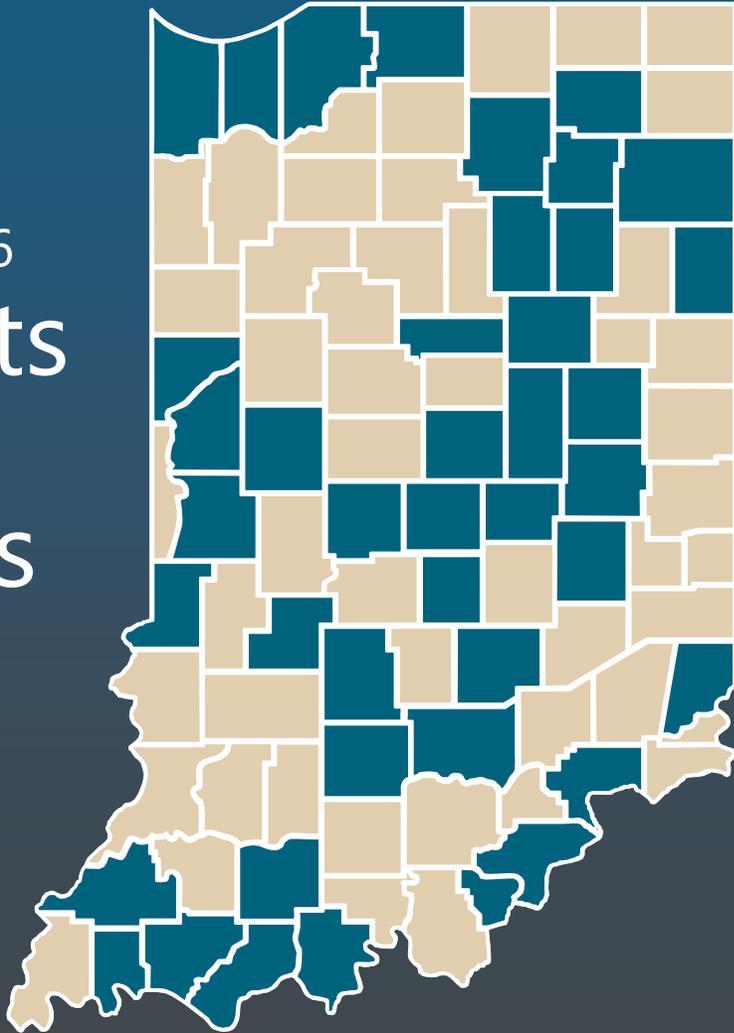
- Convened teams from every county in July 2018 for extensive training on treatment for substance use disorder;
- Organized regional trainings with justice partners as follow up to Opioid Summit;
- Developed a judicial toolbox for evidence-based court ordered drug treatment;
- Extending the reach of problem-solving courts;
- Advancing drug courts in child welfare cases to involve the entire family in the parents' treatment;
- Expanding CASA corps to support children swept up in the horrors of addiction;
- Supporting community corrections, pretrial, and jail-based programs so treatment begins as early as possible;
- Leveraging court technology to slow the supply of drugs from hitting Indiana streets; and
- Supporting efforts to expand treatment and prevention programs.

# Problem-Solving Courts

December 2016

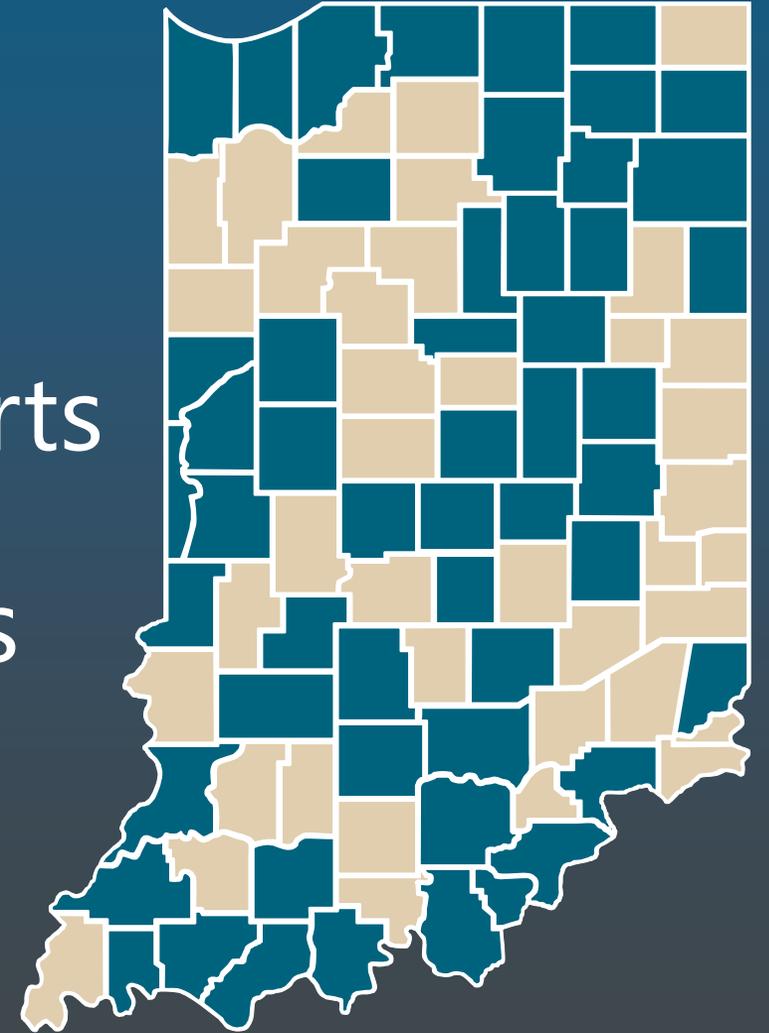
81 courts  
in 42  
counties

13 courts in  
the planning  
stages



December 2019

112 courts  
in 53  
counties



# Family Recovery Courts

December 2016

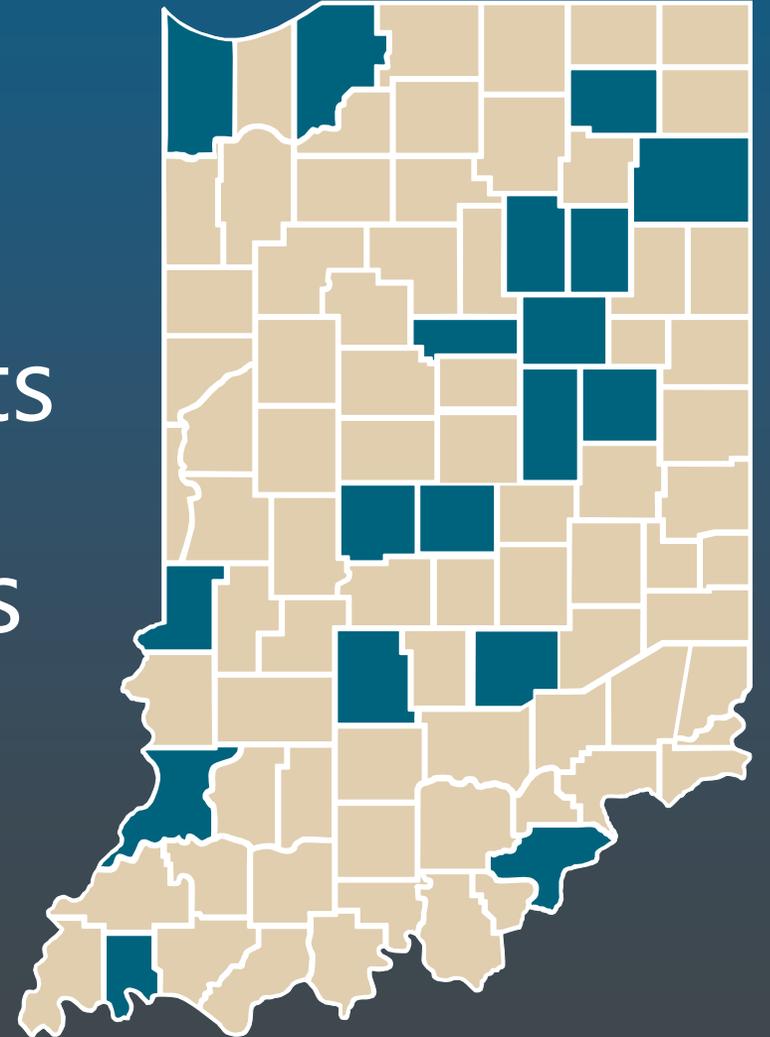
6 courts in  
6 counties

1 court in  
the planning  
stages



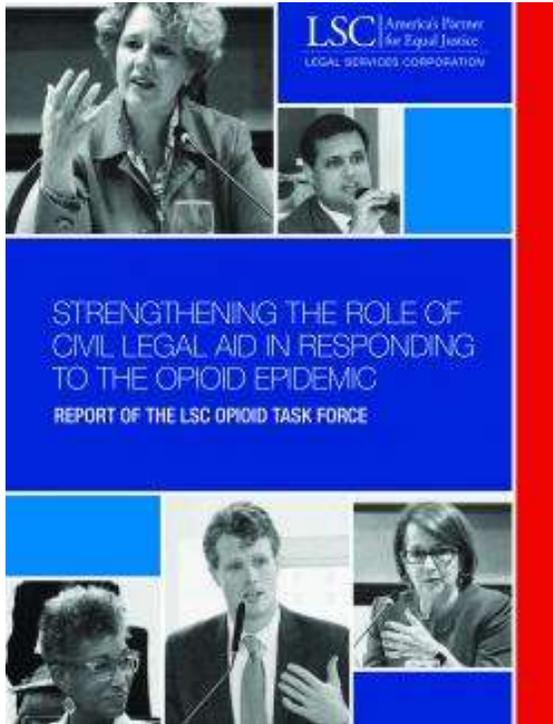
December 2019

18 courts  
in 18  
counties



# Legal Services Corporation

## Opioid Task Force



Task Force's  
Final Report:  
<https://www.lsc.gov/media-center/publications/lsc-opioid-task-force-report#bfrtoc-pdf>

### Goals:

- Educate health officials about the legal obstacles patients face in obtaining treatment
- Educate judges, law enforcement, child welfare workers, and employers about civil legal issues of medication assisted treatment
- Engage with public to promote use of legal aid attorneys as resources for individuals and their families
- Provide a forum for study and discussion of best practices for engaging legal aid attorneys in the recovery process

## Drug data updates

For data through October 6, 2019

[Go to Tableau dashboard](#)

Emergency department opioid overdoses by patient county<sup>1</sup> - See disclaimer on pg 6

### Opioid overdose alerts<sup>2</sup>

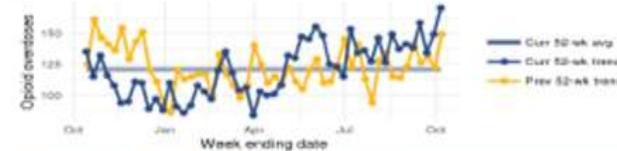
Confidential – ISDH permission required to share

- **Marion** had an alert for the week of September 30, 2019 through October 6, 2019.
- **Vigo** had an alert for the week of September 23, 2019 through September 29, 2019. Because some counties have a longer delay in reporting ED data, alerts from the previous week are included.

Alerts are intended to highlight counties with an abnormally high number of overdoses during a week compared to the baseline for that county. A county with a high number of overdoses compared to the rest of the state may not have an alert if the number of overdoses is not abnormal.

### Statewide ED opioid overdose visits

Curr Week		Prev 4 Weeks		Prev 52 Weeks		Weekly Streak
Count	Per 100K	Avg	Per 100K	Avg	Per 100K	
170	2.6	152.8	2.4	120.2	1.9	14+



### Counties with ED opioid overdoses visits For the week ending October 6, 2019

County color  
■ Alert ■ Most overdoses ■ One or more overdose ■ No overdose



### Counties that are most improved For the week ending October 6, 2019

County	Count	Curr Week		Prev 4 Weeks		Prev 52 Weeks		History	Weekly Streak
		Per 100K	Avg	Per 100K	Avg	Per 100K	Avg		
Bartholomew	0	0.0	0.2	0.3	2.1	2.8		12+	
Delaware	0	0.0	0.8	0.6	1.5	1.3		3+	
Hendricks	0	0.0	1.8	1.2	1.4	1.0		1+	
LaPorte	1	0.9	2.2	2.0	2.0	1.8		1+	
Wayne	2	2.9	2.8	4.0	2.7	3.9		3+	

These counties had the biggest decrease in overdoses, based on the current week minus the average for the prior 52 weeks. Streaks are based on the number of weeks in a row where overdoses were above or below the 52-week average. The Count, Per 100K, and Avg values are per week.

### Counties with the most overdoses For the week ending October 6, 2019

County	Count	Curr Week		Prev 4 Weeks		Prev 52 Weeks		History	Weekly Streak
		Per 100K	Avg	Per 100K	Avg	Per 100K	Avg		
<b>Marion</b>	69	7.6	58.0	6.4	41.2	4.6		8+	
Lake	15	3.0	16.8	3.4	11.7	2.4		4+	
St Joseph	9	3.4	8.2	3.1	6.3	2.4		2+	
Johnson	6	4.3	4.0	2.9	4.0	2.9		1+	
Tippecanoe	6	3.5	4.2	2.5	4.3	2.5		1+	
Porter	5	3.0	2.2	1.4	2.1	1.3		1+	
Hamilton	5	1.8	4.2	1.5	3.5	1.3		1+	
Allen	5	1.4	4.2	1.2	5.2	1.5		2+	
Hancock	4	5.7	2.8	3.9	1.6	2.3		4+	
Montgomery	3	7.9	1.8	4.6	1.2	3.2		3+	

These counties had the most overdoses in the current week. Streaks are based on the number of weeks in a row where overdoses were above or below the 52-week average. The Count, Per 100K, and Avg values are per week.

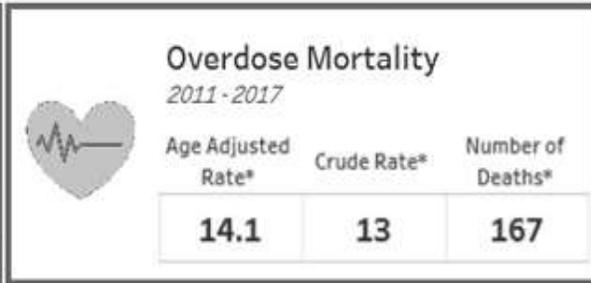
# Tippecanoe County, Indiana

Dashboard created by **MANAGEMENT PERFORMANCE**



- Select Display Value
- Rate (per 100K ppl)
  - Count
  - Percent

- Select Display Value
- Rate (per 100k ppl)
  - Count



**Prescription Drug Monitoring Program**

Opioid Prescriptions with Daily Dosage Rate of MME>50	5,823
Opioid Prescriptions with Daily Dosage Rate of MME>90	<i>no available data</i>
Opioid-Benzodiazepine Co-Prescriptions	124,528
Received Opioid Prescriptions from 4 or more providers in past year	594
Total Opioids Pills Dispensed	60,739,745

## SOCIO DEMOGRAPHIC

	Tippecanoe Cou..	Indiana	RJOI Region	United States
<b>Age</b>				
Under 18 years	38,555	233,138	14,549,331	73,601,279
18 to 24 years	44,965	91,070	6,180,087	31,131,484
25 to 44 years	46,081	275,951	16,298,426	84,700,592
45 to 64 years	36,674	229,658	17,113,888	83,838,663
65 years and over	19,806	110,147	9,773,700	47,732,389
<b>Race / Ethnicity</b>				
White (not Hispanic)	143,304	532,896	46,728,324	197,277,789
African American	8,844	257,736	8,934,513	40,610,815
Hispanic	15,135	94,609	4,937,044	56,510,571
Other	18,798	54,723	3,315,551	26,605,232
<b>Educational Attainment</b>				
Less than high school graduate	10,916	104,943	5,908,172	31,606,970
Some college or associate's degree	56,069	207,611	15,594,253	77,076,055
Bachelor's degree or higher	27,061	128,843	8,206,881	44,636,172
Graduate or professional degree	16,701	64,860	4,608,269	25,510,535
HS graduate (inc. equivalency)	36,779	200,569	15,048,526	68,573,396
<b>Disabled Status</b>				
With a disability	19,765	127,811	8,726,861	39,792,082
<b>ECONOMIC</b>				
<b>Public Assistance</b>				
Receives Food Stamps/SNAP benefits	6,466	59,100	3,500,353	15,029,498
Receives cash public assistance	754	7,063	606,231	3,041,626
People on Disability (SSI)	2,505	19,273	1,410,486	6,390,187
<b>Income</b>				
Median household income*	50,486	\$90,582	n/a	57,652
Less than \$25,000	18,150	100,214	5,794,885	25,348,270
\$25,000 - \$49,999	15,825	100,449	6,020,226	26,742,781
\$50,000 - \$74,999	13,649	64,962	4,520,136	21,000,314
\$75,000 - \$99,999	7,644	39,156	3,011,219	14,636,046
\$100,000 and greater	13,503	62,434	5,414,691	31,098,510
Population below poverty level	35,575	182,317	9,579,790	45,650,345
Children below poverty level	7,185	67,592	3,095,164	14,710,485
Adults below poverty level	28,029	110,111	6,104,333	28,919,739
75 years and over below poverty level	361	4,614	380,293	2,020,121
<b>Employment</b>				
Unemployment	5,041	39,246	2,195,287	10,560,305
Workers in Accident Prone Industries	32,656	174,475	11,122,712	53,965,184

# Model Curriculum and National Judicial Training Event

Nov 11-13, 2019  
Reno, Nevada

- Partnership between Task Force, National Judicial College, and American Association of Addiction Psychiatry
- Development and publication of a comprehensive Medical-Legal Addiction Resource Guide
- Hosting of National Judicial Opioid Training Conference in Reno, NV on November 11-13, 2019
- Training and support for Judge/Faculty members from all U.S. states and territories
- Creation and sharing of model curriculum on issues of addiction, treatment, and judicial responses



THE NATIONAL  
JUDICIAL COLLEGE





*“We cannot hide from the numbers that show the depth of the addiction problem in our state. We must face them with courage and consider the humanity behind the numbers. The devastating addiction statistics are real people: our family members, our colleagues, our neighbors, and our friends.”*

**CHIEF JUSTICE LORETTA H. RUSH**  
Co-Chair, National Judicial Opioid Task Force



Thank you for attending this conference.

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